IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

NOTICE OF MOTION NO. 78 OF 2005
IN
INSOLVENCY PETITION NO. 20 OF 2005

Re.: Mr. Gurvindersingh Bawa ... Debtor

Ex-parte:
SICOM Ltd. ... Petn. Creditor

Mr. Kishore Jain i/by Mr. P.V.Shah for the petitioning creditor.

Miss Shaila Ghadi for the debtor.

Mr. A.P. Kothari, Dy. Official Assignee present.

CORAM: P.V. KAKADE, J.

DATED: 6TH DEC., 2005

P.C.:

1. Heard learned counsel for the creditor as well as debtor. This motion is moved for setting aside the order dated 5.4.2005 passed in this petition. It was submitted that, so far as the present creditor is concerned, his claim is satisfied and, therefore, this motion is moved for setting aside the order.

2. It is brought to my notice by the office that there are other creditors involved in this matter and they are required to be joined to the petition. In view of this

position, it is apparent that by virtue of Sec.92 of the Presidency Insolvency Act, the creditors are required to be joined by taking on board the petition itself.

3. In view of this position, the motion is made absolute in terms of prayer clause (a).

4. It is therefore directed that the Petition No. 20 of 2005 be taken on record and necessary steps be taken by the debtors to join other creditors for further acts as per the rules. The petition be placed on board on 20.12.2005.

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